

Image

Practitioner's Docket No. MBIO99-030RCEM

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Barnes, Thomas M., et al. (as amended)		
Application No.:	09/333,159	Group No.:	1646
Filed:	June 14, 1999	Examiner:	Jiang, Dong
For:	NOVEL GENES ENCODING PROTEINS HAVING DIAGNOSTIC, PREVENTIVE, THERAPEUTIC, AND OTHER USES		

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AND PROCESSING FEE DELETING CORRECTLY
NAMED PERSON(S) WHO ARE NOT INVENTOR(S)
OF INVENTION NOW BEING CLAIMED
-NONPROVISIONAL APPLICATION
(37 C.F.R. SECTION 1.48(b))**

1. This amendment under 37 C.F.R. Section 1.48(b) is to delete the names of the following persons
named as inventors and who are not the inventors of the invention now being claimed:

Sean A. McCarthy
Christopher C. Fraser

01/13/2004 EFLORES 00000056 09333159

01 FC:1460 130.00 DA

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
37 C.F.R. SECTION 1.8(a)
☐ with sufficient postage as first class mail.
- ☒ **37 C.F.R. SECTION 1.10***
as "Express Mail Post Office to Addressee"
Mailing Label No. EV407386695US

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Date: January 9, 2004

Carolyn Willey

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

2. Claim(s) Now on File

The claim(s) in this application are as follows:

(check and complete all applicable items)

- ☐ originally filed claim(s) _____.
- ☐ originally filed claim(s) _____,
as amended on _____.
- ☒ claim(s) 67-80
as amended on December 1, 2003.
- ☐ claim(s) _____ filed on _____,
as amended on _____.

3. Status of Inventorship After Amendment

(check the following item if all the inventor(s) remaining after this petition and amendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed)

- ☐ Below is an explanation of the facts, including the ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).

4. Remarks

The presently pending claims of the instant application relate to isolated TANGO294 nucleic acid molecules. This TANGO294 molecule was cloned and annotated by Thomas M. Barnes and John D. Sharp and as such, Thomas M. Barnes and John D. Sharp are the inventors for the presently claimed invention. Sean A. McCarthy and Christopher C. Fraser, while correctly named inventors on the application as filed, contributed to inventions no longer claimed in the present application. Therefore, in light of these facts, a correction of inventorship is required to delete Sean A. McCarthy and Christopher C. Fraser as inventors of the invention now being claimed. Entry of the amendment is respectfully requested prior to allowance of the present application.

Practitioner's Docket No. MBIO99-030RCM

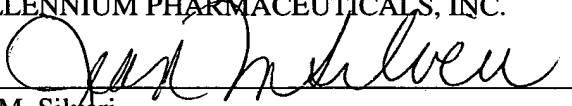
5. Fee (37 C.F.R. Section 1.17(i))

The processing fee required by is paid as follows:

☐ Enclosed is a check for \$130.00.

☒ Charge Account 501668 for any fee deficiency.

☒ Charge Account 501668 the sum of \$130.00.

<u>January 9, 2004</u>	<p>MILLENNIUM PHARMACEUTICALS, INC.</p> <p>By </p> <p>Jean M. Silveri Registration No. 39,030 75 Sidney Street Cambridge, MA 02139 Telephone – (617) 679-7336 Facsimile – (617) 551-8820</p>
------------------------	--